

From: [MacIntyre, Mark](#)
To: [Chu, Xiangyu](#); [Scott Downey](#)
Subject: RE: Quick Chat @ 11:30 am
Date: Wednesday, September 10, 2014 10:28:00 AM
Attachments: [EPA settles with Flint Hills Resources - RCRA Penalty FINAL PR - 9-10-14.docx](#)

Also: Here's what the final release will look like.....

From: Chu, Xiangyu
Sent: Wednesday, September 10, 2014 10:16 AM
To: MacIntyre, Mark; Downey, Scott
Subject: RE: Quick Chat @ 11:30 am
Mark,
please call me at 206-234-1146

From: MacIntyre, Mark
Sent: Wednesday, September 10, 2014 9:07 AM
To: Downey, Scott; Chu, Xiangyu
Subject: Quick Chat @ 11:30 am

Since we plan to send the Flint Hills today just after lunch. Can we talk for a few minutes @ 11:30am at how we can frame our key messages about this action, should we get called by reporters?

Xiangyu, please let me know at which # I should call you.

Thanks!

MM

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EPA settles with Flint Hills Resources Alaska, LLC, for hazardous waste violations at its North Pole Facility

(Seattle, Washington – September 10, 2014) The U.S. Environmental Protection Agency has reached a settlement with Flint Hills Resources, which owns and operated a petroleum refinery in North Pole, Alaska, for alleged mishandling of hazardous waste generated during groundwater cleanup actions at the refinery.

On June 19, 2013, Flint Hills Resources (FHR) conducted groundwater cleanup activities at its North Pole refinery that generated spent groundwater pre-filters containing iron sulfide. The spent groundwater pre-filters were disposed of in an exposed, uncovered “roll off” container (dumpster) where they soon self-ignited, causing two container fires. The fires required local fire department assistance to extinguish. The settlement includes a civil penalty of \$80,000.

According to Scott Downey, manager of EPA’s Air & Hazardous Waste Compliance Unit in Seattle, under the Resource Conservation and Recovery Act (RCRA), waste generators are required to determine whether or not their waste is hazardous at the time of generation, then label it clearly and store it properly.

“In this case, two completely avoidable dumpster fires occurred because the facility’s hazardous waste was not properly identified and managed,” said EPA’s Downey. “Worker and responder safety can be jeopardized when ignitable and reactive wastes are not managed and stored in strict accordance with the law.”

In case documents, EPA alleges:

- FHR violated RCRA by failing to determine that the spent groundwater pre-filters were an “ignitable” and reactive hazardous waste, and then failed to manage the materials accordingly.
- FHR mishandled the filter waste by placing it in an uncovered roll off container that was not properly labeled “Hazardous Waste” and dated for storage (as required by federal law).
- FHR hazardous waste was not managed to minimize the possibility of a fire, explosion, or other mishap due to the unstable nature of this this hazardous waste.

RCRA enforcement creates a level playing field for industry, protects people and the environment and insures responsible stewardship in the generation, transportation, treatment, storage and disposal of hazardous waste.

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For more about EPA’s work in enforcing the Resource Conservation and Recovery Act, please visit:
<http://www2.epa.gov/enforcement/waste-chemical-and-cleanup-enforcement>